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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

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'08 MJ2058

Magistrate Case No. \_\_\_\_\_

*9/14*  
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UNITED STATES OF AMERICA,

Plaintiff,

v.

Bryan Curtis ARISMAN,

Defendant.

COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section  
1324(a)(2)(B)(iii)-  
Bringing in Illegal Alien(s)  
Without Presentation

The undersigned complainant being duly sworn states:

On or about **July 6, 2008**, within the Southern District of California, defendant **Bryan Curtis ARISMAN**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, **Maria Elena GOMEZ-Torres**, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said alien, and upon arrival did not bring and present said alien immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

  
SIGNATURE OF COMPLAINANT  
Sara Esparagoza, United States Customs  
and Border Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **7th** DAY OF  
**July, 2008**.

  
UNITED STATES MAGISTRATE JUDGE

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**PROBABLE CAUSE STATEMENT**

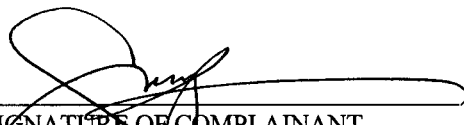
The complainant states that **Maria Elena GOMEZ-Torres** is a citizen of a country other than the United States; that said alien has admitted she is deportable; that her testimony is material; that it is impracticable to secure her attendance at trial by subpoena; and that she is a material witness in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On July 6, 2008, at approximately 0325 hours, **Bryan Curtis ARISMAN (Defendant)**, applied for admission to the United States through primary lane 22 of the San Ysidro, California Port of Entry. Defendant was the driver of a Dodge Ram 1500 pickup truck bearing California license plates. Defendant presented himself and the vehicle for inspection before a U.S. Customs and Border Protection (CBP) Officer and gave two negative declarations. During an inspection of the vehicle, the CBP Officer discovered a human being concealed underneath the hood in a non-factory engine compartment. The CBP Officer subsequently escorted the vehicle and its occupants to secondary for further inspection.

In secondary, CBP Officers assisted one female from inside the non-factory compartment located within the engine of the vehicle. The female was determined to be a citizen of Mexico without legal documents or entitlements to enter the United States and is now identified as **Maria Elena GOMEZ-Torres (Material Witness)**.

During a videotaped interview, Defendant was advised of his Miranda rights and elected to submit to questioning without the benefit of counsel. Defendant admitted attempting to smuggle the undocumented alien into the United States in exchange for \$500 USD. Defendant admitted to being present at the time the Material Witness was placed in the non-factory compartment. Defendant admitted he was aware the Material Witness was concealed underneath the hood of the vehicle. Defendant admitted he was to take the vehicle and undocumented alien to an unspecified location on "H" Street in Chula Vista, California.

A separate videotaped interview was conducted with the Material Witness. Material Witness admitted she is a citizen of Mexico by birth in Cuernavaca, Morelos, Mexico. Material Witness admitted she does not possess legal documents or entitlements to enter the United States. Material Witness stated that she was to pay a smuggling fee of \$2000 USD for her passage into the United States. Material Witness admitted her intention was to travel to San Diego, California for the purpose of seeking employment.

  
SIGNATURE OF COMPLAINANT  
Sara Esparagoza, United States Customs  
and Border Protection Enforcement Officer

  
UNITED STATES MAGISTRATE JUDGE